

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: VOLKSWAGEN “CLEAN DIESEL” MDL No. 2672 CRB (JSC)
MARKETING, SALES PRACTICES, AND
PRODUCTS LIABILITY LITIGATION
_____/ **ORDER TO SHOW CAUSE RE: GOTTA**

This Order Relates To:
MDL Dkt. No. 5852

Gotta v. Porsche Cars North America, Inc.,
No. 3:16-cv-1069-CRB
_____ /

Shannon L. Hopkins is counsel of record for plaintiff Gregory M. Gotta, an individual who purchased a 2014 Audi A6 Quattro Diesel and a 2014 Porsche Cayenne Diesel. In February 2016, Ms. Hopkins filed a putative class action on behalf of Mr. Gotta and similarly situated purchasers of the same car models. Earlier this year, Ms. Hopkins filed a motion to withdraw as the attorney of record in that case, *Gotta v. Porsche Cars North America, Inc.* (See MDL Dkt. No. 5852.)

In an Amended MDL Member Consumer Case List, which Volkswagen Group of America, Inc. (“VWGoA”) recently filed, Mr. Gotta is listed as an individual (a) who has “settled with, or otherwise released, [his] claims against VWGoA and its affiliates by either participating in the MDL settlements (*e.g.*, obtaining an MDL settlement buyback) or entering into a separately negotiated settlement with VWGoA and its affiliates,” but (b) who has “not yet filed a notice or stipulation of dismissal on the Court’s docket.” (MDL Dkt. No. 6275 at 2-3; *id.* No. 6275-2 at 44, Plaintiff Nos. 1317, 1318.)

In light of VWGoA’s representations, dismissal of Mr. Gotta’s action appears more appropriate than removing Ms. Hopkins as counsel. The Court accordingly intends to dismiss Mr. Gotta’s action with prejudice unless on or before May 24, 2019 he or Ms. Hopkins shows cause, in

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writing, as to why his action should not be dismissed with prejudice.

IT IS SO ORDERED.

Dated: May 15, 2019



CHARLES R. BREYER
United States District Judge